## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS

PUBLIC HEALTH AND MEDICAL PROFESSIONALS FOR TRANSPARENCY,	) ) )
Plaintiff,	) )
v.	) Civil Action No. 4:21-cv-01058-P
UNITED STATES FOOD AND DRUG ADMINISTRATION,	) ) )
Defendant.	) ) )

## **JOINT STATUS REPORT**

Pursuant to the Court's Order dated January 6, 2022 (Dkt. No. 35), the parties hereby submit the instant Joint Status Report ("JSR"). Consistent with this Court's Order of February 2, 2022 (Dkt. No. 56), and in the interim since the parties' last JSR, filed on September 28, 2022 (Dkt. No. 64), the U.S. Food and Drug Administration ("FDA") has made the following additional productions:

- An October 3, 2022 production consisting of 55,474 pages of responsive records;
- A November 1, 2022 production consisting of 55,161 pages of responsive records; and
- A December 1, 2022 production consisting of 55,139 pages of responsive records.

Pursuant to the Court's Order dated February 2, 2022 (Dkt. No. 56), FDA may "bank" any pages produced in excess of its monthly quota. To date, FDA has banked 86,388 pages. FDA expects to produce a minimum of 55,000 additional pages on or before January 3, 2023.

On December 22, 2022, in anticipation of this status report, Plaintiff asked FDA to provide an estimated remaining page count and/or estimated completion date of production. FDA responded that it is not presently in a position to provide an estimated remaining page count or estimated completion date because it is still assessing the scope of records incorporated into the Comirnaty biological product file. FDA expects to be better positioned to provide these estimates by the date of the next joint status report (in approximately 90 days) and will provide its best estimates at that time.

The parties will submit another joint status report within 90 days.

Dated: December 24, 2022 Respectfully submitted,

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## **CERTIFICATE OF SERVICE**

I hereby certify that on December 24, 2022, I electronically transmitted the foregoing to the parties and the clerk of court for the United States District Court for the Northern District of Texas using the CM/ECF filing system.

Annalise R. Beube

Law Clerk

Siri & Glimstad LLP